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PATENT
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I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Lisa Fothergill Lisa Fothergill
Printed name of person mailing correspondence Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xinnian Dong et al.

Art Unit: 1649

Serial No.: 08/908,884

Examiner: A. Nelson

Filed: August 8, 1997

Title: ACQUIRED RESISTANCE GENES AND USES THEREOF

Assistant Commissioner of Patents
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 C.F.R. §1.191**

Applicant respectfully appeals to the Board of Patent Appeals and Interferences
from the decision dated July 26, 1999 of the Examiner finally rejecting claims 1, 2, 4-13,
15-29, 36, and 40-42.

Enclosed pursuant to 37 C.F.R. §1.136 is a petition to extend the time to respond
to the final rejection for three months, to and including January 26, 2000.

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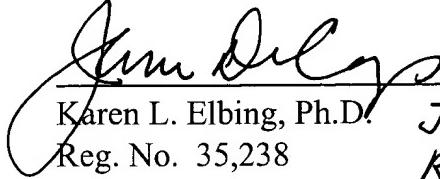
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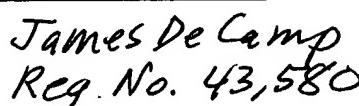
Also enclosed is a check in the amount of \$300.00 for the fee required by
37 C.F.R. §1.17(e) for this Notice of Appeal. If there are any charges, or any credits,
please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date:

1/26/00


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